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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,923	05/08/2002	Cornelis Simon Adriaan De Nood	2001-1008	9889

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EXAMINER

PHILIPPE, GIMS S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,923

Applicant(s)

DE NOOD ET AL.

Examiner

Gims S Philippe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03222005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

This is a first office action in response to application no. 10/030,923 filed on May 8th 2002 in which claims 1-6 are presented for examination.

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a

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nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The applicant is urged to follow the above example in amending the specification.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Duhamel et al. (US Patent no. 5,541,585).

Regarding claim 1, Duhamel discloses the same detection system comprising at least a receiver, a detector and an element that can be brought into one or more predetermined states (See fig. 1, items 16 and 18, and col. 4, lines 38-43), the receiver reacting to the states of the element when the latter is brought into the vicinity of the receiver and controlling the detector to emit a detection signal that is associated with the state of the element (See col. 4, lines 38-52), and further comprising a video camera focused on the surroundings of the receiver for recording the wearer wearing the element and a memory device fitted for storing the images captured by the video camera (See fig. 1, camera 54, col. 6, lines 51-54), characterised in that the memory device is equipped for both temporary continuous storage of the captured video images for a predetermined

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period and permanent storage of the temporarily stored video images in response to the detection signal from the detector (See fig. 1, recorder 62, col. 4, lines 63-66, lines 59-64, and col. 7, lines 8-12).

As per claim 5, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Duhamel further discloses the same detection system wherein the memory is equipped for storing the data on the element and permanently stored video images in relation to one another (See Duhamel recorder 62 of fig. 3).

As per claim 3, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Duhamel further provides an activable tag wherein the detection signal is emitted by tag activation (See Duhamel col. 6, lines 31-39, col. 7, lines 9-13, and lines 39-41).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Duhamel et al. (US Patent no. 5541585) in view of Nerlikar (US Patent no. 5629981).

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Regarding claim 6, most of the limitations of this claim have been noted in the above rejection of claim 5.

It is noted that Duhamel is silent about a recognition data on the wearer associated with image recognition for deriving recognition data from permanently stored video images for comparison.

Nerlikar discloses a detection system wherein the wearer is associated with image recognition for deriving recognition data from permanently stored video images for comparison (See Nerlikar col. 11, lines 51-59, col. 12, lines 42-53).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Duhamel's detection system by incorporating Nerlikar's step of associating the wearer with image recognition for deriving recognition data from permanently stored video images for comparison. The motivation for performing such a modification in Duhamel is to increase the speed of transactions requiring inspection of ID cards and comparison as taught by Nerlikar (See Nerlikar col. 12, lines 43-53).

5. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duhamel et al. (US Patent no. 5541585) in view of Blum et al. (US Patent no. 5237408).

Regarding claims 2 and 4, most of the limitations of these claims have been noted in the above rejection of claim 1.

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It is noted that although Duhamel discloses a permanent memory (See video recorder 62 of fig. 3), is silent about a temporary memory comprising of a FIFO.

Blum discloses detection system including a temporary memory comprising of a FIFO (See Blum fig. 4, item buffer 76, and col. 6, lines 17-36).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Duhamel's detection system by incorporating Blum's step of including a temporary memory comprising of a FIFO.

The motivation for performing such a modification in Duhamel is to temporarily store M digitized images per camera for recall of pre-alarm, during, and post-alarm views as taught by Blum (See Blum col. 6, lines 55-66).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vaios (US Patent no. 6271752) teaches intelligent multi-access system.

Conklin (US Patent no. 6218955) teaches infrared link for security system.

Dodd et al. (US Patent no. 5339073) teaches access control equipment and method for using the same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe
Primary Examiner
Art Unit 2613

GSP

March 22, 2005